

Attorney Docket. No.: P66536US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Henrik STENDER et al.

Serial No.: 09/544,934

Group Art Unit: 1655

Filed: April 7, 2000

Examiner: J. Fredman

Title: NOVELL PROBES FOR THE DETECTION OF MYCOBACTERIA

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RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit the instant response to the Office Action mailed November 13, 2000.

The instant Office Action contains a requirement for election of species to no more than 10 disclosed SEQ ID numbers. Pursuant to the requirement Applicants elect SEQ ID numbers 8, 25, 34, 40, 44, 76, 85, 89, 90, and 123. Applicants traverse the requirement to the extent that the election of species does not preclude Applicants from maintaining the generic scope of the invention represented by present claim 1, or other generic scope subsequently claimed.

Favorable action is requested.

Respectfully submitted,

By: *William Holman May 16 2001*
for Harvey B. Jacobson, Jr.
Reg. No. 20,851

Dated: May 14, 2001

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TRANSMITTAL

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response to Restriction/Election Requirement and Petition for Extension of Time in the above-captioned application.

- Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- XX A check in the amount of \$1,000.00 for Petition for Extension of Time.
- XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

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By: *Harvey B. Jacobson, Jr.*
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Registration No. 20,851

Dated: May 14, 2001

WEP\vjb

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